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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/787,594	06/25/2001	Henning Molsen	YAMAP0757US	4696

7590 11/24/2008  
Neil A DuChes  
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19th Floor  
1621 Euclid Avenue  
Cleveland, OH 44115

EXAMINER
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NGUYEN, HOAN C

ART UNIT	PAPER NUMBER
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2871

MAIL DATE	DELIVERY MODE
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11/24/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## **NOTICE OF NON-RESPONSIVE AMENDMENT**

### ***Response to Amendment***

The reply filed on October 01, 2008 is not fully responsive to the prior Office Action because of the following matter (See 37 CFR 1.111):

The amendment filed on August 8, 2008 canceled all the examined claims 51, 54, 81 and 82. The other claims 38-50, 52, 53, 55-80, 83-84 are nonelected and withdrawn. Therefore, there are no claims left for examining in this application.

Furthermore, examiner have called Mr. Saralino to discuss this error. However, Mr. Saralino requests the office to send out a NOTICE OF NON-RESPONSIVE AMENDMENT. Mr. Saralino also mentions that a continuation application may be in a process to be filed.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(h).

### ***Conclusion***

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer,

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within which to supply the omission or correction in order to avoid abandonment.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOAN C. NGUYEN whose telephone number is (571)272-2296. The examiner can normally be reached on MONDAY-THURSDAY:8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on (571) 272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HOAN C. NGUYEN  
Examiner  
Art Unit 2871

Chn

/Andrew Schechter/  
Primary Examiner, Art Unit 2871